

**MOTOROLA****FAX TRANSMITTAL SHEET**

Motorola, Inc.  
Intellectual Property Section  
Law Department  
1303 E. Algonquin Rd.  
Schaumburg, IL 60196

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9

 Number of Pages (Including this page)

**Date:** June 22, 2004

**To:** Examiner Baugh, A. - Group 2141

**Location:** United States Patent and Trademark Office

**Fax No.:** 703-872-9306

**From:** Steven A. May (Registration No. 44,912)

**Subject:** Serial No. 09/447,400 -Chen et al.

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**MESSAGE:**

Enclosed herewith, please find a RESPONSE Office Action for filing in the below-identified application.

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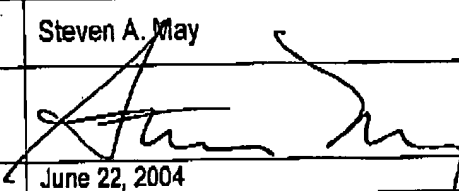
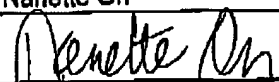
JUN 22 2004

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Baugh, A.
GROUP ART UNIT:	2141
SERIAL NO.:	09/447,400
FILED:	11/22/1999
INVENTOR:	Chen et al.
ATTORNEY DOCKET NO.:	CE08051R

**OFFICIAL**

PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/447,400	
	Filing Date	11/22/1999	
	First Named Inventor	Chen et al.	
	Group Art Unit	2141	
	Examiner Name	Baugh, A.	
Total Number of Pages in this Submission	4	Attorney Docket Number	CE08051R
<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter with appropriate copies	
<input checked="" type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Response to Restriction Requirement	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Associate Power of Attorney	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> RCE	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	<input type="checkbox"/> Copy of Notice to File Missing Parts	
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Transmittal of Formal Drawings	
		<input type="checkbox"/> Response to Notice of Non-Recordation of Document	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual	Steven A. May	Registration No.	44,912
Signature			
Date	June 22, 2004		
<b>CERTIFICATE OF TRANSMISSION</b>			
I hereby certify that this correspondence is being facsimile transmitted to Commissioner for Patents, P.O. Box 1450, Alexandria, VA, on the date listed below:			
Typed or printed name	Nanette Orr		
Signature		Date	June 22, 2004

<b>FEE TRANSMITTAL</b>  Patent fees are subject to annual revision		<b>Complete if Known</b>			
		Application Number		09/447,400	
		Filing Date		11/22/1999	
		First Named Inventor		Chen et al.	
		Examiner Name		Baugh, A.	
Group Art Unit		2141			
Attorney Docket No.		CE08051R			
TOTAL AMOUNT OF PAYMENT (\$)					

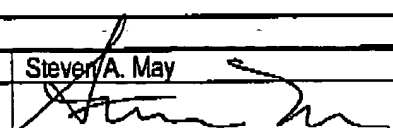
  

<b>METHOD OF PAYMENT</b>  1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number <span style="border: 1px solid black; padding: 2px;">50-2117</span> Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Motorola, Inc.</span>  <input checked="" type="checkbox"/> Charge Any Additional Fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	<b>FEE CALCULATION (continued)</b>  <b>3. ADDITIONAL FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Fee</th> <th>Small Entity</th> <th>Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late Provisional filing</td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>1812</td> <td>2520</td> <td>1812</td> <td>2520</td> <td>For filing a request for ex parte Reexamination</td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1840*</td> <td>1805</td> <td>1840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>205</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>930</td> <td>2253</td> <td>465</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1450</td> <td>2254</td> <td>725</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>1970</td> <td>2255</td> <td>885</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401</td> <td>320</td> <td>2401</td> <td>160</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>320</td> <td>2402</td> <td>160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>280</td> <td>2403</td> <td>140</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1510</td> <td>1451</td> <td>1510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453</td> <td>1300</td> <td>2453</td> <td>650</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1900</td> <td>2501</td> <td>850</td> <td>Utility issue fee (or release)</td> </tr> <tr> <td>1502</td> <td>470</td> <td>2502</td> <td>235</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>630</td> <td>2503</td> <td>315</td> <td>Plant issue fee</td> </tr> <tr> <td>1480</td> <td>130</td> <td>1480</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(e)</td> </tr> <tr> <td>1808</td> <td>180</td> <td>1808</td> <td>180</td> <td>Submission of IDS</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>750</td> <td>2809</td> <td>375</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> </tr> <tr> <td>1810</td> <td>750</td> <td>2810</td> <td>375</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>1801</td> <td>750</td> <td>2801</td> <td>375</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="5">Other fee (specify):</td> </tr> </tbody> </table>	Large Entity	Fee	Small Entity	Fee	Fee Description	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late Provisional filing	1053	130	1053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	205	Extension for reply within second month	1253	930	2253	465	Extension for reply within third month	1254	1450	2254	725	Extension for reply within fourth month	1255	1970	2255	885	Extension for reply within fifth month	1401	320	2401	160	Notice of Appeal	1402	320	2402	160	Filing a brief in support of an appeal	1403	280	2403	140	Request for oral hearing	1451	1510	1451	1510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1300	2453	650	Petition to revive - unintentional	1501	1900	2501	850	Utility issue fee (or release)	1502	470	2502	235	Design issue fee	1503	630	2503	315	Plant issue fee	1480	130	1480	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(e)	1808	180	1808	180	Submission of IDS	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	1801	750	2801	375	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify):				
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<b>FEE CALCULATION</b>					
<b>1. BASIC FILING FEE</b>					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	620	2003	260	Plant filing fee	
1004	760	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$) 0.00</b>
<b>2. EXTRA CLAIM FEES</b>					
Total Claims		Previously Paid**	Extra Claims	Fee from below	Fee Paid
Independent Claims		20	3	18	
Multiple Dependent				86	
					280 =
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	* Reissue independent claims over original patent	
1205	18	2205	9	* Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$) 0.00</b>
*OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE.					
*For Reissues, see above					

<b>SUBMITTED BY</b>			
Name (Print/Type)	Steven A. May	Registration No.	44,912
Signature		Telephone	(847) 576-3635
		Date	June 22, 2004

- PATENT -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Chen et al. EXAMINER: Baugh, A.  
SERIAL NO.: 09/447,400 ART UNIT: 2141  
FILED: 11/22/99 CASE NO.: CE08051R  
ENTITLED: LOAD BALANCING METHOD IN A COMMUNICATION  
NETWORK

Motorola, Inc.  
Corporate Offices  
1303 E. Algonquin Road  
Schaumburg, IL 60196  
June 22, 2004

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RESPONSE UNDER 37 C.F.R. § 1.111

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on <u>June 22, 2004</u>	<u>6/22/2004</u>
Motorola, Inc.	Date
Name of applicant, assignee, or Registered Representative	
<u>Nanette D.</u>	
Signature	

OFFICIAL

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Va. 22313-1450

Commissioner:

In response to an Office Action dated December 30, 2003 (paper no. 10), the  
applicants hereby respectfully submit the following response.